

SENATE BILL No. 366

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-8.1-15.

Synopsis: Expelled students. Allows a school corporation that determines it cannot serve a student because of the student's disruptive behavior or frequent unexcused absences to place the student in another setting. Provides that if the other setting is in another school corporation or a nonpublic school, the school corporation in which the student has legal settlement is responsible for tuition. Requires the school alternative program study committee to study and report to the legislative council concerning students who are excluded from school without being formally expelled and alternatives to excluding students from school.

Effective: July 1, 2003.

Miller

January 16, 2003, read first time and referred to Committee on Education and Career Development.

C
o
p
y



First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

SENATE BILL No. 366

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-8.1-15 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2003]:

4 **Chapter 15. Tuition for Certain Students**

5 **Sec. 1. This chapter applies to a student who cannot be served**
6 **by a school for any of the following reasons:**

7 (1) **The student's disruptive behavior in class prevents the**
8 **student or other students from learning.**

9 (2) **The student has frequent unexcused absences.**

10 **Sec. 2. If a school determines that the school is unable to teach**
11 **a student described in section 1 of this chapter, the school's**
12 **principal may request the superintendent to seek an alternative**
13 **placement for the student under this chapter.**

14 **Sec. 3. Upon receiving a request under section 2 of this chapter,**
15 **the superintendent may place a student described in section 1 of**
16 **this chapter in any of the following:**

17 (1) **Another school within the school corporation that the**



C
o
p
y

superintendent determines may successfully teach the student.

(2) An alternative school operated by the school corporation or by another school corporation.

(3) A school within another school corporation that the superintendent determines may successfully teach the student.

(4) A nonpublic school that the superintendent determines may successfully teach the student.

Sec. 4. If a student described in section 1 of this chapter is placed in a public school that is within another school corporation or a nonpublic school, the school corporation in which the student has legal settlement is responsible for paying tuition for the student.

Sec. 5. A student described in section 1 of this chapter may not be excluded from the student's school until another placement is found for the student.

SECTION 2. [EFFECTIVE JULY 1, 2003] (a) As used in this SECTION, "committee" refers to the interim study committee on educational services to expelled students established by subsection (b).

(b) There is established the interim study committee on educational services to expelled students. The committee shall study and report to the legislative council concerning the following issues:

(1) The incidence of students being excluded from public schools without undergoing the formal expulsion procedures provided under IC 20-8.1-5.1.

(2) Alternatives to excluding students from schools.

(3) Appropriate disciplinary measures for school personnel who exclude students from school.

(4) Whether a mechanism can be established under which school personnel, law enforcement officers, and juvenile courts may work together to ensure that students attend and remain in school.

(c) The committee shall operate under the policies governing study committees adopted by the legislative council.

(d) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

(e) This SECTION expires December 31, 2003.

C
o
p
y

